

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
5:12-CV-371-FL

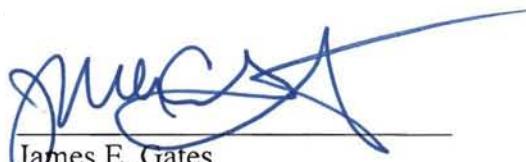
GUSTAVO ROMANELLO, and) ACELA ROMANELLO,)) Plaintiffs,)) v.)) BANKUNITED, INC., SUBSTITUTE) TRUSTEE SERVICES OF CAROLINA,) LLC., BROCK & SCOTT, PLLC,) RAGSDALE LIGGETT, PLLC, and) ASHLEY H. CAMPBELL,)) Defendants.)	ORDER
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This pro se case is before the court on the application (D.E. 1) by plaintiffs Gustavo Romanello and Acela Romanello (“plaintiffs”) to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a)(1) and for a frivolity review pursuant to 28 U.S.C. § 1915(e)(2)(B), respectively. These matters were referred to the undersigned Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(A) and (B), respectively. The court finds that plaintiff has demonstrated appropriate evidence of inability to pay the required court costs, and the application to proceed *in forma pauperis* is ALLOWED. However, the court must dismiss a case brought *in forma pauperis* if the court determines that the action is frivolous or malicious, fails to state a claim upon which relief can be granted, or seeks monetary relief from an immune defendant. 28 U.S.C. § 1915(e)(2)(B); *see Denton v. Hernandez*, 504 U.S. 25, 27 (1992) (standard for frivolousness). After a thorough review of plaintiff’s proposed complaint (D.E. 1-1), which alleges violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.*, and the North Carolina Unfair and Deceptive

Trade Practices Act, N.C. Gen. Stat. § 75-1, *et seq.*, the court finds that this case is not frivolous and does not suffer from the other deficiencies specified in 28 U.S.C. § 1915(e)(2)(B).

The Clerk is therefore DIRECTED to file the complaint and issue the summons prepared by plaintiff. The U.S. Marshal is DIRECTED to serve the summons and a copy of the complaint on defendant.

This, the 30th day of July 2012.



James E. Gates
United States Magistrate Judge